



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Stephen N. Ment  
Judiciary Committee Public Hearing  
March 6, 2009**

**Senate Bill 965, An Act Concerning False Claims**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in regards to Senate Bill 965, *An Act Concerning False Claims*. While the Branch has no position on the substance of the bill, we would respectfully note that it is unclear as to how some provisions of the bill would work in practice.

- Section 4(c) of the bill provides that a defendant would not be required to respond to a complaint until thirty days after it has been served; generally a defendant has thirty days from the return date to respond to a complaint, not thirty days from when the complaint is served. I have attached an amendment to this testimony that would conform the bill to current procedure.
- Certain information furnished to the court is seemingly exempt from disclosure; it is unclear how this information is to be handled by the court if it is contained in court documents.

The Judicial Branch would be pleased to discuss these concerns with the proponents of this legislation.

Thank you for the opportunity to submit written testimony.

**Proposed Amendment to Senate Bill 965, AAC False Claims**

1. Delete lines 100-105 and insert "(c) If the court orders that the complaint be unsealed and served, the Superior Court shall issue an appropriate order of notice setting the return date in accordance with C.G.S. § 52-48 and requiring the same notice that is ordinarily required to commence a civil action. The defendant shall be required to respond to any complaint served in accordance with this section no later than thirty days after the return date set by the court."